

Amendment under 37 C.F.R. § 1.116
U.S. Application No. 09/888,446

REMARKS

Claims 1-27 are pending in the above-identified Application, of which claims 1-7, 15-20 and 27 have been withdrawn. Therefore, claims 8-14 and 21-26 have been examined in the current Office Action. Claims 8 and 9 have been rejected under 35 U.S.C. § 112, second paragraph, claims 21, 22 and 24 have been rejected under 35 U.S.C. § 102(b), and claims 8, 10, 12, 13, 14, 23, 25 have been rejected under 35 U.S.C. § 103(a). Also, the Examiner has indicated that claims 11 and 26 contain allowable subject matter, and claim 9 would be allowable if amended to overcome the rejection under 35 U.S.C. § 112, second paragraph. By this Amendment, Applicant has canceled withdrawn claims 1-7, 15-20 and 27.

Preliminary Matters

The Examiner has not acknowledged the drawings filed on September 26, 2001. Accordingly, Applicant respectfully requests that the Examiner indicate, in the next Office Action, whether such drawings are acceptable.

Rejections under 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 8 and 9 under 35 U.S.C. § 112, second paragraph, as being indefinite. In particular, the Examiner maintains that the phrase, “a front to rear direction” of claim 8, is unclear and lacks antecedent basis. Accordingly, Applicant has amended claim 8, in a manner believed to overcome the current rejection.

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Rejections under 35 U.S.C. § 102(b)

Claims 21, 22 and 24 are rejected under 35 U.S.C. § 102(b) as being anticipated by JP 3-189980 to Sato (“Sato”).

A. Claim 21

As set forth above, the Examiner has indicated that claim 26 contains allowable subject matter. Accordingly, since Applicant has incorporated the allowable subject matter of claim 26 into claim 21, Applicant submits that claim 21 is patentable over the cited reference.

B. Claims 22 and 24

Since claims 22 and 24 are dependent upon claim 21, Applicant submits that such claims are patentable at least by virtue of their dependency.

Rejections under 35 U.S.C. § 103(a)

A. Claim 23 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato in view of JP 10-149650 to Sano et al. (“Sano”).

Since claim 23 is dependent upon claim 21 (and the allowable subject matter of claim 26 has been incorporated into claim 21), Applicant submits that claim 23 is patentable over the cited references at least by virtue of its dependency.

B. Claim 25 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato in view of U.S. Patent No. 5,986,992 to Bardmesser (“Bardmesser”)

Since claim 25 is dependent upon claim 21 (and the allowable subject matter of claim 26 has been incorporated into claim 21), Applicant submits that claim 25 is patentable over the cited references at least by virtue of its dependency.

C. Claims 10 and 12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato in view of U.S. Patent No. 5,896,256 to Lang et al. (“Lang”)

1. Claim 10

As set forth above, the Examiner has indicated that claim 11 contains allowable subject matter. Accordingly, since Applicant has incorporated the allowable subject matter of claim 11 into claim 10, Applicant submits that claim 10 is patentable over the cited references.

2. Claim 12

Since claim 12 is dependent upon claim 10, Applicant submits that claim 12 is patentable at least by virtue of its dependency.

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D. Claims 13 and 14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato in view of Lang and Bardmesser

Since claims 13 and 14 are dependent upon claim 10 (and the allowable subject matter of claim 11 has been incorporated into claim 10), Applicant submits that claims 13 and 14 are patentable over the cited references at least by virtue of their dependency.

E. Claim 8 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,814,924 to Ozeki in view of Sato.

As set forth above, the Examiner has indicated that claim 9 contains allowable subject matter. Accordingly, since Applicant has incorporated the allowable subject matter of claim 9 into claim 8, Applicant submits that claim 8 is patentable over the cited references.

Allowable Subject Matter

The Examiner has indicated that claims 9, 11 and 26 contain allowable subject matter. As stated above, the allowable subject matter of claims 9, 11 and 26 have been incorporated into claims 8, 10 and 21, respectively. Accordingly, Applicant has canceled claims 9, 11 and 26. Since such amendments place the Application in condition for allowance, Applicant requests that the amendments be entered by the Examiner.

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Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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